

REMARKS

In the Office Action dated December 24, 2004, the Examiner rejected claims 1-5 under 35 U.S.C. § 112, first paragraph; rejected claims 1-5 under 35 U.S.C. § 101; rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Rubin et al. (U.S. Patent No. 5,862,379); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Rubin et al. in view of Branson et al. (U.S. Patent No. 5,937,189); and rejected claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Rubin et al. in view of Crus et al. (U.S. Patent No. 5,133,068).

In light of the foregoing amendments and based on the following arguments, Applicants respectfully traverse the Examiner's rejections under 35 U.S.C. § 112, first paragraph, 35 U.S.C. § 102(b), 35 U.S.C. § 101, and 35 U.S.C. § 103(a).

I. The Restriction Requirement Dated October 31, 2003

Applicants wish to thank the Examiner for the courtesies extended by the Examiner and his supervisor, Safet Metjahic, during the telephone interview held on March 3, 2004. During the interview, Applicants' representative presented arguments traversing the restriction of claims 1-56 into sixteen groups. The arguments presented were similar to those included in the Response to Restriction Requirement filed by Applicants on November 25, 2003, which is incorporated by reference in its entirety.

Applicants' representative traversed the restriction of claims that include similar recitations, such as claims 1-5, 21-25, and 37-41. Additionally, Applicants' representative explained why the recitations of claims 1-56 should not be considered as

separate and distinct inventions, but rather as a single invention with varying scopes of protection. Further, Applicants' representative presented arguments regarding the impropriety of the proposed classifications presented by the Examiner and how there is no serious burden in examining claims 1-56 in a single application. Additionally, Applicants expressed concern over the failure of the Office Action to address the arguments set forth in the November 25th response as suggested by M.P.E.P. § 821.01 and the failure to make the restriction Final, which afford Applicants the option of petitioning the restriction pursuant to 37. C.F.R. § 1.144.

In response, Mr. Metjahic suggested that Applicants file a response to the Office Action including arguments regarding the restriction and the Examiner will reconsider the arguments in light of the discussions. Mr. Metjahic indicated that if such arguments were at least partially persuasive, a non-final Office Action withdrawing or modifying the restriction will be issued by the Examiner.

Accordingly, based on the discussions held during the March 3rd interview and the arguments set forth herein and in the Response filed November 25th, Applicants respectfully request that the Restriction of claims 1-56 be withdrawn and the claims examined in a single application.

II. The Rejections Under 35 U.S.C. § 112, First Paragraph

The Examiner asserts that claims 1-5 include "subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention." In particular, the Examiner states that "[r]epresenting reverse links by dotted lines does

not enable one of ordinary skill in the art to make and use the invention." See *Office Action*, page 2, ¶ 3 and page 3, ¶ 1. Applicants disagree.

The Examiner appears to hinge the above position strictly on Applicants' disclosure found on page 14, lines 6-14 and Fig. 5C. Such limited reliance is improper. The present application clearly describes aspects associated with the reverse link features of the present invention. The paragraph cited by the Examiner is merely one of many parts in the specification that describe embodiments associated with the creation of reverse links. For example, paragraphs 43-45 of the application state:

Repository 350 also includes wrappers 410 for each instance, 420 and 450. Wrappers 410 are locally maintained tables that are specific to an instance it "wraps." As shown in Figure 4, each wrapper (depicted as the shaded area surrounding an instance) "wraps" around an instance 420 or instance 450. These wrappers may also be referred to as instance wrappers. Wrappers 410 will be described in further detail below with respect to Figures 5A-5D and 6A-6E.

Each wrapper 410 defines reverse links 440 (represented as dotted line arrows) that provide references from each instance 420, 450 to a respective association instance 430. For example, in Figure 4, the association instance 430-1 shown between instances 420B and 420A receives reverse links 440-1, 440-2 that reference the relationships from instances 420B, 420A to the association instance 430-1, respectively. It should be noted that the objects shown in Figure 4 are exemplary, and any number of objects and hierarchical relationships may be defined in the repository by CIM Object Manager 340.

CIM Object Manager 340 establishes and manages the definitions of instances 420, 450, associations instances 430, links 460, wrappers 410 and reverse links 440. Each time an instance is created in repository 350, CIM Object Manager 340 generates associations 430 based on the hierarchical relationship associated with each defined object. **In turn, whenever an association is defined, CIM Object Manager generates reverse links within each respective**

wrapper. Figures 5A-5D illustrate this process, in accordance with one aspect of the invention.

[See Applicants' disclosure, ¶¶ 43-45, emphasis added]

Paragraphs 47-54 continue with descriptions associated with the creation of reverse links in accordance with certain aspects related to the present invention. For example, in one aspect of the invention, wrapper tables are used for generating and maintaining reverse links that define relationships between instances and associations. For instance, the specification states:

Also included in each wrapper table are reverse links established for each relationship with the association listed in a respective wrapper. Again referring to the instance 5 wrapper table, and Figure 5A, it can be seen that association A-1 defines a relationship between instance I-5 of class 1 and instance I-1 of class 2. Accordingly, instance 5 wrapper table also defines the relationship of association A-1 with instance I-1. As there are no other associations defined for instance I-5, the remainder of its wrapper table is empty.

The remaining wrapper tables are similarly configured with information. Referring to instance 1 wrapper table and Figure 5A, it can be seen that instance I-1 has four association instances related to it, A-1 through A-4. These are indicated in its wrapper table. **Association instance A-1 has references to instance I-5, thus instance 1 wrapper table includes a reverse link that establishes this relationship.** The same is true for the relationships between association instances A-2 through A-4. **Instance 1 wrapper table includes the reverse links that show the relationship between each association instance and instances I-2 through I-4.**

Instance wrappers are dynamically managed by CIM Object Manager 340, in order to maintain an updated version of the hierarchical relationship of a CIM scheme. At any time, a client 320 may request the creation of additional objects. CIM Object Manager 340 updates repository 350, and the wrappers for each affected instance, whenever a new association is defined.

Figure 7 shows an exemplary process performed by CIM Object Manager 340 when a request to create a new instance is received from a client 320. A client 320 sends a request to create a new object, such as an instance of a particular class, over network 310 (Step 710). The request may be performed using XML/HTTP protocols. For example, one client 320 may initiate a request to create a new instance I-7 of class 1, while another client 320 may initiate a request to create a new instance I-6 of class 1. Referring to Figure 5C, CIM Object Manager 350 receives the requests and defines the new instance I-7, and stores the definition in repository 350. **CIM Object Manager 340 then creates a wrapper for the newly defined instance (Step 720). A wrapper is created by creating a wrapper table for the new instance.** In this case, a new wrapper table for instance 7, would be created in repository 350. **The new wrapper table includes default fields to be filled relating to associations and reverse links correlated to these associations.** Figure 5D shows repository 350 including newly defined wrappers, instance 6 wrapper table and instance 7 wrapper table.

CIM Object Manager 340 defines an association instance 564 (A-5) between instance I-5 and instance I-7 (step 730), using the characteristics of new instance I-7. Figure 5C illustrates the new association 564 (A-5), including its links pointing to instances I-5 and I-7. **Once CIM Object Manager 340 recognizes a newly defined association instance, it determines all objects the new association instance defines a relationship between. In this case, association instance A-5 establishes a relationship between instances I-5 and I-7. Accordingly, CIM Object Manager 340 defines reverse links within each instance's wrapper (Step 740).** The reverse links are represented by the dotted lines pointing from wrappers 512 and 562 to association 564 (A-5) in Figure 5C.

Figure 5E illustrates how the wrappers in repository 350 are modified based on the created reverse links. The addition of newly defined instance I-7, and association A-5 triggers CIM Object Manager 340 to add the reverse links to the instance 5 wrapper table. As depicted, the instance 5 wrapper table includes a reverse link showing the relationship between association A-5 and instance I-7. Furthermore, newly defined wrapper table for instance I-7 is modified to include the relationship A-5 between instance I-7 and instance I-5.

The process for creating and maintaining the new instance wrapper for instance I-6 in repository 350 is the same as that described for instance I-7. **That is, once CIM Object Manager 340 defines an association instance A-6 between instances I-6 and I-4, a new wrapper table for the new instance I-6 is created in repository 350 and reverse links (depicted in Figure 5C as dotted lines pointing from wrappers 552 and 572 to association A-6) are defined within each instance's wrapper table.**

Referring to Figure 5E, the newly defined instance 6 wrapper table includes a reverse link showing the relationship between association instance A-6 and instance I-4.

Furthermore, instance 4 wrapper table includes a reverse link showing the relationship between association instance A-6 and instance I-6.

Accordingly, CIM Object Manager 340 dynamically adjusts repository 350 with new reverse links each time an instance of an association is created. This keeps repository 350 updated with the most recent relationships for instances defined by CIM Object Manager 340. In keeping an updated status of these relationships enable association traversals to be performed more efficiently by the CIM Object Manager 340.

As can be seen, the present application is not limited to describing reverse links through "dotted lines" shown in the figures. The dotted lines are merely one manner of illustrating the reverse links in relation with associations and instances. Indeed, the figures also show wrapper tables including data associated with reverse links. If the Examiner's position is that the specification describes reverse links only through "dotted lines," that position is wrong. The Examiner is invited to review the disclosure, including the above-cited portions, and reconsider the conclusion that the application only describe reverse links through "dotted lines" illustrated in the figures.

Because the application clearly describes reverse links and the processes and elements associated with their creation and application, the rejection of claims 1-5 under 35 U.S.C. 112, first paragraph should be withdrawn and the claims allowed.

III. The Rejections Under 35 U.S.C. § 101

The Examiner asserts that claims 1-5 are directed to non-statutory subject matter because “[a] computer-related process is not claimed in the preamble nor in the method steps of claims 1-5.” The Examiner suggests that Applicants “claim computer readable code ...so that [the] instant invention can be considered a practical application in the technological arts.” See *Office Action*, page 4, ¶ 1. Further, the Examiner asserts that claim 1 merely manipulates “an abstract idea, although even the abstract idea being manipulated is difficult to imagine.” See *Office Action*, page 4, ¶ 2.

Although Applicants disagree with the Examiner’s position, Applicants have amended claim 1 to recite that the claim is directed to a “computer implemented method.” Notwithstanding this change, Applicants traverse the Examiner’s position that claims 1-5 are directed to an abstract idea and therefore are non-statutory.

As noted by the Federal Circuit,

§ 101 is broad and general; its language is: “any * * * process, machine, manufacture, or composition of matter, or any * * * improvement thereof.” Section 100(b) further expands “process” to include “art or method, and * * * a new use of a known process....”

State Street Bank & Trust Co. v. Signature Fin. Group, Inc., 149 F.3d 1368, 1372 (Fed. Cir. 1998). The three unpatentable categories include: “laws of nature, natural phenomena, and abstract ideas.” *Id.* at 1373 (citations omitted). According to M.P.E.P. § 2106(IV)(B)(1), “[c]laims to computer-related inventions that are clearly nonstatutory fall into the same general categories as nonstatutory claims in other arts, namely natural phenomena such as magnetism, and abstract ideas or laws of nature which constitute ‘descriptive material.’” The Examiner alleges that claim 1 is abstract and relies on the

“Examination Guidelines for Computer-Related Inventions” set forth in M.P.E.P § 2106 in rejecting the claim.

As set forth in M.P.E.P. § 2106, “[t]he claimed invention as a whole must accomplish a practical application ... [t]hat is, it must produce a ‘useful, concrete and tangible result.’” M.P.E.P. § 2106(II)(A), citing *State Street*, 149 F.3d at 1373. Further, M.P.E.P § 2106(II)(A) notes that “significant functionality [must] ... be present to satisfy the useful result aspect of the practical application requirement [and] ... [m]erely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting.” M.P.E.P. § 2106(II)(A) also states:

Office personnel have the burden to establish a *prima facie* case that the claimed invention as a whole is directed to solely an abstract idea or to manipulation of abstract ideas or does not produce a useful result. Only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 U.S.C. 101...Further, when such a rejection is made, Office personnel must expressly state how the language of the claims has been interpreted to support the rejection (internal citations omitted).

According to the Federal Circuit, the inquiry of whether a claim is statutory focuses on “the essential characteristics of the subject matter, in particular, its practical utility.” *State Street Bank & Trust Co. v. Signature Fin. Group, Inc.*, 149 F.3d at 1375. If a claim includes recitations that produce “a concrete, tangible and useful result,” the claim is not abstract and has practical utility. See *State Street*, 149 F.3d at 1373, *AT&T Corp. v. Excel Communications, Inc.*, 172 F.3d 1352, 1358 (Fed. Circ. 1999), also cited in M.P.E.P. § 2106(II)(A). And if the claim is not abstract and has practical utility, it is statutory under 35 U.S.C. § 101. Claims 1-5 produce a concrete, tangible, and useful result, and thus is statutory.

The Examiner attempts to show that claim 1 constitutes an abstract idea because the creating step of claim 1 "defines a relationship which obviously must be fully known at the time of defining" and the determining step is "redundant as the relationship is obviously fully known at the time of defining and thus there is no need to determine a relationship." Applicants disagree and submit that claims 1-5 are statutory for at least the following reasons.

To begin with, claim 1 includes recitations that produce "concrete, tangible and useful" results and, therefore, the claimed invention accomplishes a practical application and is not abstract. The Federal Circuit articulated in *State Street* that "the transformation of data, representing discrete dollar amounts, by a machine through a series of mathematical calculations into a final share price, constitutes a practical application of a mathematical algorithm, formula, or calculation." See *State Street*, 149 F.3d at 1601. In *AT&T Corp.*, the Federal Circuit explained that the same principles apply to method claims that do not recite a machine, stating "we consider the scope of Section 101 to be the same regardless of the form--machine or process--in which a particular claims is drafted." *AT & T Corp.* at 1357 (citations omitted). In *AT & T Corp.*, the court held that information representative of a call recipient's PIC, is "a useful, non-abstract result that facilitates differential billing of long-distance calls made by an IXC's subscriber." *Id.*

In this case, claim 1 clearly includes processes that produce useful, concrete, and tangible results. For example, the steps of "creating, for the first instance, a reverse link..." and "determining a relationship..." set forth in claim 1 produce useful, concrete, and tangible results, such as determining a relationship between objected related to a

common information model. As discussed in the application at ¶¶ 10 and 12-15, determining such relationships has a useful application in the technological arts.

The recitations of claim 1 do not “simply manipulate abstract ideas”; rather, the claim recitations produce useful, concrete, and tangible results (M.P.E.P. § 2106(IV)(B)(1)) as explained above. Accordingly, this claim has practical utility and is not abstract. In addition, the subject matter recited in claim 1 clearly accomplishes a practical application within the technological arts.

Moreover, claim 1 is not directed to the “manipulation of an abstract idea.” Because claim 1 is not abstract, the claim does not merely recite “nonfunctional descriptive matter.” According to M.P.E.P. § 2106(IV)(B)(1), nonfunctional descriptive material “includes but is not limited to music, literary works and a compilation or mere arrangement of data.” A “method of determining a relationship between objects,” including “creating, for the first instance, a reverse link ...” and “determining a relationship between the first and second instances based on the reverse link,” as recited in claim 1, is not a mere arrangement of data, not abstract, and therefore statutory under 35 U.S.C. § 101.

Further, the Examiner’s assertions regarding the need for determining a relationship is wrong. The reverse link created in claim 1 defines the relationship between “the first instance and the **association**.” Based on the created reverse link, aspects of the present invention may determine “a relationship between the **first and second instances**.” Clearly, the Examiner is incorrect in stating that the determining step of claim 1 is redundant and not needed. Accordingly, as mentioned above, claims 1-5 are not abstract and direct to statutory subject matter.

For at least the foregoing reasons, Applicants requests that rejection of claims 1-5 under 35 U.S.C. § 101 be withdrawn and the claims allowed.

IV. The Rejection Under 35 U.S.C. § 102(b)

In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." See M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th Ed. 2001), p. 2100-69.

The Examiner asserts that Rubin et al. teaches every recitation of claim 1. Applicants disagree.

Rubin et al. discloses a visual programming tool that enables users to draw on a display screen. The tool allows a user to draw a first visual representation on a screen. In response to the drawing, the tool generates a source object that is an instance of a first class, such as data object 202 shown in Fig. 14. The tool also allows the user to draw a second visual representation on the display screen. Based on the second drawing, the tool generates a destination object that is an instance of a second class, such as chart object 204 shown in Fig. 14. Further, the user creates a link object by manipulating the visual representations on the display screen, such as link 200 in Fig.

14. The link object allows the user to access predefined behaviors associated with the link. See Rubin et al., col. 22, line 60 to col. 23, line 39, and col. 24, lines 58-64.

Accordingly, Rubin et al. cannot teach a method for determining a relationship between objects in a common information model, whereby the objects include at least a first and second instance, and an association, and the method including, at least, creating for the first instance a reverse link that defines a relationship between the first instance and the association. Contrary to the Examiner's assertions, the "source object instance of first object class, destination object, instance of second object class" is not an association. See *Office Action*, page 5, lines 13-14. As explained, the source and destination objects are instances of respective classes. There is no association between these two instances. Further, because the Examiner refers to the linking objects taught by Rubin et al. as reverse links—a position that Applicants' traverse—the linking objects cannot be associations. Accordingly, Rubin et al. does not teach all of the recitations of claim 1.

As mentioned, the linking objects taught by Rubin et al. are not reverse links. According to Rubin et al., the linking objects are placed by a user between the source and destination object. Accordingly, the linking objects do not define a relationship between an association and a first instance. For example, if the Examiner's position is that one of the source object or destination object is an association, then the reference does not teach objects including a first and second instance and an association. Further, if the Examiner's position is that the linking object is an association, then the reference does not teach a reverse link. And, as explained, because Rubin et al. does not teach associations there can be no reverse links that define a relationship between

a first instance and an association. Further, Rubin et al. cannot teach determining a relationship between the first and second instances based on the reverse link because, as explained, Rubin et al. does not teach the creation of such links that define a relationship between an instance and an association.

Because Rubin et al. fails to teach each and every recitation of claim 1, the rejection of claim 1 under 35 U.S.C. § 102(b) is unsupported by the prior art and should be withdrawn and the claim allowed.

Claim 2 depends from claim 1. As explained, claim 1 is distinguishable from Rubin et al. Accordingly, the rejection of claim 2 is also unsupported by the prior art and Applicants request that the rejection of this claim under 35 U.S.C. § 102(b) be withdrawn and the claim allowed.

V. The Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 3-5 under 35 U.S.C. § 103(a) as unpatentable because the Examiner has failed to establish a *prima facie* case of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim elements. Furthermore, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." See M.P.E.P. § 2143.01 (8th Ed., Aug. 2001), quoting *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in

the art, to modify a reference or to combine reference teachings. Finally, there must be a reasonable expectation of success. See M.P.E.P. § 2143 (8th Ed. 2001), pp. 2100-122 to 127.

a. The rejection of claim 3

The Examiner asserts that Rubin et al. teaches all of the recitations of claim 3, except for an instance being associated with a first wrapper defining the reverse link. In an attempt to compensate for these shortcomings, the Examiner relies on Branson et al. See *Office Action*, page 6, lines 11-21. Applicants disagree.

Branson et al. discloses a system for determining configuration relations between system components. The system uses a relationship generation class that implements methods for determining relationships between items in a particular configuration environment. Some of the methods, referred to as wrapper methods, operate by making appropriate assignments of relationships based on predetermined preferences. Although Branson et al. uses wrapper methods for determining relationships between items, these methods do not define a reverse link. Accordingly, contrary to the Examiner's statement that all of the recitations of claim 3 are taught by Branson et al. and Rubin et al., these references does not teach or suggest an instance being associated with a first wrapper defining the reverse link. Therefore, the rejection of this claim under 35 U.S.C. § 103(a) is unsupported by the art and should be withdrawn.

Further, there is no motivation to combine Branson et al. with Rubin et al. The Examiner asserts that one skilled in the art would be motivated to make such a combination "for the purposes of determining the configuration relationships." See *Office Action*, page 6, lines 20-21. However, Rubin et al. allows a user to establish linking

objects between a source and destination object. Accordingly, there is no need for Rubin et al. to require the services of the wrapper methods disclosed by Branson et al. because any relationships between the source and destination objects are known and established by the user.

Determinations of *prima facie* obviousness must be supported by a finding of “substantial evidence.” See *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001). Specifically, unless “substantial evidence” found in the record supports the factual determinations central to the issue of patentability, including motivation, the rejection is improper and should be withdrawn. Further, “[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” See *M.P.E.P.* § 2143.01.

In this case, there is no “substantial evidence” in the record or in the art to support the attempted combination of Branson et al. and Rubin et al., and the requisite “clear and particular” motivation required to support a *prima facie* case of obviousness is lacking. The Examiner has not established, by substantial evidence, that a skilled artisan having the art before him would have been motivated to combine the teachings of Rubin et al. with Branson et al. in a manner resulting *in* Applicants’ claimed invention. As explained, there is no motivation for Rubin et al. to require the services of the wrapper methods disclosed by Branson et al. to determine configuration relationships between because any relationships between the source and destination objects are known and established by the user.

Because the Rubin et al. and Branson et al., fail to teach or suggest the features that the Examiner asserts, and the Examiner provides no objective reason why, other than to attempt to meet the terms of the claims, a skilled artisan would have been motivated to combine the references, a *prima facie* case of obviousness has not been established. Accordingly, the rejection of claim 3 under 35 U.S.C. § 103(a) is unsupported by the art and should be withdrawn and the claim allowed.

b. The rejection of claims 4 and 5

The Examiner asserts that Rubin et al. teaches all of the recitations of claims 4 and 5, except for “defining a pointer in a first table that references a second table, and defining a pointer in the second table that references the instance of the association class.” In an attempt to compensate for these shortcomings, the Examiner relies on Crus et al. See *Office Action*, page 7, lines 2-12.

Crus et al. teaches a relational database management system that determines referential constraints between two relational tables. The system identifies parent and dependent table constraints and primary and foreign keys. The system allows relationship descriptors to be modified when a table is modified. See Crus et al., col. 2, line 58 to col. 3, line 17.

The tables and references implemented by Crus et al. are directed to relational database systems. Accordingly, the Examiner’s allegation that the reference teaches a process of creating a reverse link that defines a relationship between a first object instance and an association by defining a pointer in a first and second table is incorrect. In fact, Crus et al. fails to teach or suggest any process of creating or implementing reverse links, much less defining pointers in non-relational database environments.

Additionally, Applicants traverse the Examiner’s proposed motivation for combining Crus et al. and Rubin et al. According to the Examiner, one skilled in the art would have been motivated to make the asserted combination “for the purpose of providing a relationship descriptor.” See *Office Action*, page 7, lines 11-12. Applicants disagree.

There is no motivation in Rubin et al. that suggests one skilled in the art would look to a relational database management system to determine relationships between table items for an object-oriented environment. Conversely, Crus et al. fails to suggest any motivation for implementing its relational database management system in an object-oriented environment. Also, the combination asserted by the Examiner has no reasonable expectation of success. There are no capabilities disclosed by these references that would enable the relational table management system disclosed by Crus et al. to operate in the system disclosed by Rubin et al.

Because there is no proper motivation or expectation of success in combining Rubin et al. and Crus et al., and these references, alone or in combination, fail to teach or suggest the features proffered by the Examiner, the rejection of this claim is unsupported by the art and the rejection of this claim under 35 U.S.C. § 103(a) should be withdrawn and the claim allowed.

Claim 5 depends from claim 4. Accordingly, the rejection of claim 5 is also unsupported by the prior art and should be withdrawn.

VI. Conclusion

In view of the foregoing amendments and remarks, claims 1-5 are statutory and supported by Applicants' disclosure. Further, because the rejection of claims 1-5 under 35 U.S.C. §§ 102(b) and/or 103(a) is unsupported by art, these rejections should be withdrawn. Accordingly, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of claims 1-5. Further, Applicants request the reconsideration of the Restriction Requirement dated October 31, 2003 and request the proper examination of claims 6-56.

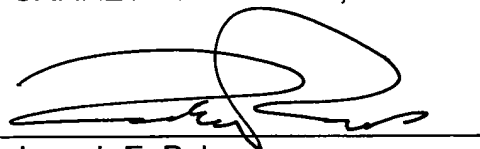
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 16, 2004

By: _____


Joseph E. Palys
Reg. No. 46,508